

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF RHODE ISLAND

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In re: :

KEVEN A. McKENNA : BK No. 10-10274
Debtor Chapter 11

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ORDER CONVERTING THE CASE TO CHAPTER 7

Heard on the United States Trustee's Motion to Convert Case to Chapter 7. For the reasons advanced by the United States Trustee in the Motion to Convert and again as expressed at the hearing held on April 6, 2011, the Court finds that the Debtor has failed to comply with the mandatory requirements of 11 U.S.C. §§ 1121(e) and 1129(e). Section 1121(e)'s "300 day term...is an imperative term to file a plan, and non-compliance creates a 'drop-dead' effect" that limits the debtor's options to reorganize. *In re Sanchez*, 429 B.R. 393, 398 (Bankr. D.P.R. 2010). Therefore, the Court finds that cause exists to convert the case to one under Chapter 7. The Court further finds that conversion, rather than dismissal, is in the best interest of creditors.

Entered as an Order of this Court.

Dated at Providence, Rhode Island, this 4th day of
May, 2011.



Arthur N. Votolato
U.S. Bankruptcy Court

Entered on docket: 5/4/11